

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

RHINA ALVARENGA,

Plaintiff,

v.

Case No. 05-11819 JLT

**COVERALL OF NORTH AMERICA, d/b/a
Coverall Cleaning Concepts and Coverall of
Boston, and SUNRISE SENIOR LIVING,
INC., d/b/a and Sunrise of Arlington,**

Defendants.

JOINT STIPULATION OF DISMISSAL AND MOTION FOR REMAND OF ACTION

The parties in this action, by their attorneys, hereby (a) stipulate and agree that plaintiff Rhina Alvarenga is not pursuing any claims against any of the defendants under federal law; and (b) jointly move to remand this action to the Superior Court of the Commonwealth of Massachusetts, Middlesex County (the “Superior Court”), each party to bear its own costs and expenses.

In support of this stipulation and joint motion, the parties state the following:

1. Ms. Alvarenga filed her complaint in this action in the Superior Court.
2. Defendant Sunrise Senior Living, Inc. removed this action to the United States District Court for the District of Massachusetts by notice of removal dated September 7, 2005.
3. On October 7, 2005, Ms. Alvarenga filed a motion to remand this action to the Superior Court because, among other things, she claimed that she had not pleaded any claims against any of the defendants under federal law.
4. The parties agree that upon Ms. Alvarenga’s stipulation that she is not pursuing any federal claims against the defendants, this case should be remanded to the Superior Court.

FOR THESE REASONS, the parties request that this Court remand this action to the Superior Court of the Commonwealth of Massachusetts, Middlesex County, with each party to bear its own costs and expenses.

RHINA ALVARENGA,

By her attorneys,

/s/ Daryl J. Lapp (by agreement)
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COVERALL NORTH AMERICA, INC.,

By its attorneys,

/s/ Michael D. Vhay
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SUNRISE SENIOR LIVING, INC.

By its attorneys,

/s/ Joseph M. Desmond (by agreement)
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Dated: October 21, 2005